

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

W. CLARK APOSHIAN, Plaintiff,)	
)	
)	
v.)	No. 2:19-cv-0037-JNP-CMR
)	
MERRICK GARLAND, Attorney General of the United States, <i>et al.</i> ,)	
Defendants.)	
)	
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PROPOSED BRIEFING SCHEDULE

Counsel for the parties conferred on October 26, 2022, to discuss a schedule for proceedings in this matter. Pursuant to Rule 7 and Local Rule 7-4, the parties respectfully request that the Court adopt the following agreed-upon schedule, which would supersede the Court's prior scheduling orders.

1. On March 15, 2019, the Court entered an order denying Plaintiff's motion for a preliminary injunction. On March 18, 2019, Plaintiff filed an interlocutory appeal from that order.

2. On March 14, 2019, the Court granted Defendants' stipulated motion to extend the time for Defendants to respond to the Complaint. ECF 50. The Court ordered that Defendants respond to the Complaint no more than 30 days after final resolution of any appeal from an order with respect to the motion for a preliminary injunction, and directed the parties to submit a proposed scheduling order 14 days later. *Id.*

3. On October 3, 2022, the U.S. Supreme Court finally resolved the appeal. It denied a petition for a writ of certiorari to the U.S. Court of Appeals for the Tenth Circuit; the petition sought review of the Tenth Circuit's judgment affirming denial of the preliminary injunction.

4. As a result, the time for responding to the Complaint is about to expire on November 2, 2022. The parties jointly propose adoption of the following schedule, which includes a standard four-brief schedule for briefing cross-motions for summary judgment:

Defendants file administrative record:	November 30, 2022
Defendants to file a statement responding to the complaint pursuant to Local Rule 7-4(b)(1):	November 30, 2022
Plaintiff files motion for summary judgment:	January 6, 2023
Defendants file response and cross-motion for summary judgment:	February 6, 2023
Plaintiff files response and reply:	February 27, 2023
Defendants file reply:	March 20, 2023

Respectfully submitted,

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Dated: October 28, 2022